

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

WINTER INVESTORS, LLC, *et al.*,

Plaintiffs,

-v.-

SCOTT PANZER, *et al.*,

Defendants.

14 Civ. 6852 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

The Court held a conference in this action on February 21, 2019. Defendants Sol Mayer, Eli Verschleiser, Etr Investors Holdings, LLC, Eve, LLC, Etre Financial, LLC, Etre Financial Holdings, LLC, Etre Financial Holdings, LLC, and Etre Financial, LLC, failed to appear at the conference. Accordingly, on April 22, 2019, the Court ordered the Defendants to show cause, in writing, by May 6, 2019, why the Court should not enter default judgement against them.

On May 9, 2019, the Court received a letter via e-mail from Defendant Eli Verschleiser, writing on behalf of himself and Defendant Eve, LLC. (Dkt. #117). The Court now understands that Mr. Verschleiser intends to proceed *pro se* and participate in the settlement conference scheduled before Magistrate Judge Aaron on Tuesday, May 21, 2019 at 10:00 a.m. in Courtroom 11C, United States Courthouse, 500 Pearl Street, New York, NY 10007.

However, Mr. Verschleiser is reminded that Defendant Eve, LLC, as a corporation, cannot proceed *pro se*. On December 20, 2018, the Court issued an Order, requesting entity litigants that did not currently have counsel,

including Eve, LLC, to obtain counsel by February 28, 2019. The Court will extend that deadline one final time. To that end, Eve, LLC, is hereby ORDERED to obtain counsel who will enter a notice of appearance on or before **June 7, 2019**. To be clear, the Court observes that it would certainly be preferable for Eve, LLC, to secure counsel prior to the conference before Magistrate Judge Aaron, so that the company can participate meaningfully in the discussions. The June 7 deadline is for avoidance of default.

Finally, the Court reminds Mr. Verschleiser that, as a *pro se* party, all communications with the Court must be sent to the Pro Se Intake Office:

Pro Se Intake Office  
United States District Court  
Southern District of New York  
40 Foley Square, Room 105  
New York, NY 10007  
(212) 805-0175

No documents or filings should be sent directly to Chambers, either by mail or e-mail. The Court has edited the docket to reflect Plaintiff's address as provided in his letter, dated May 8, 2019: 44 Wall Street, New York, New York, 10005. To avoid further confusion, the Court will send this Order to Plaintiff via e-mail. However, all future communication from the Court to Plaintiff will be mailed to Plaintiff's address on file. It is Plaintiff's obligation to notify the Court if his address changes.

With regarding to Defendants Sol Mayer, Etr Investors Holdings, LLC, Etre Financial, LLC, Etre Financial Holdings, LLC, Etre Financial Holdings, LLC, and Etre Financial, LLC, as of May 9, 2019, the Court has not received any communication from any of those Defendants. The Court finds accordingly

that those Defendants have defaulted. Plaintiffs are directed to provide a statement of damages, if such damages are readily ascertainable, or a request for an inquest as to damages, if such damages are not readily ascertainable, on or before **June 7, 2019**. The Clerk of Court is hereby ordered to enter a judgment of default as to each of those Defendants. It is further ORDERED, ADJUDGED AND DECREED that Plaintiff shall have judgment against Defendants Sol Mayer, Etr Investors Holdings, LLC, Etre Financial, LLC, Etre Financial Holdings, LLC, Etre Financial Holdings, LLC, and Etre Financial, LLC, in an amount to be determined later.

Dated: May 9, 2019  
New York, New York



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KATHERINE POLK FAILLA  
United States District Judge

*A copy of this Order was mailed by Chambers to:*

Eli Verschleiser  
44 Wall Street  
New York, NY 10005

Eli.v@magenu.org